

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RASHEED HILSON, SR.,

Plaintiff,

v.

JEFF LYNCH, et al.,

Defendants.

Case No. 1:23-cv-01757 JLT GSA (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

(Doc. 11)

Plaintiff, a former state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 3, 2025, after the Court's screening order (Doc. 8) and an order to show cause re failure to prosecute (Doc. 9) were returned to sender after service upon Plaintiff at his address of record, the magistrate judge issued Findings and Recommendations to dismiss the action for failure to prosecute and failure to keep the Court apprised of his current address.¹ (Doc. 11.) After evaluating the factors articulated in *Malone v. United States Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987), the Findings and Recommendations recommended dismissal without prejudice. The Findings and Recommendations were served on Plaintiff and notified him that any objections

¹ The Court's screening order was returned to sender on October 17, 2024. Pursuant to Local Rule 183(b), Plaintiff had 63 days to file a notice of change of address. Far longer has passed without Plaintiff filing any document with the Court.

1 were due in 14 days. (Doc. 11 at 5 (citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir.
2 2014).) Plaintiff failed to file any objections or otherwise communicate with the Court.

3 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a de novo review of this
4 case. Having carefully reviewed the matter, the Court concludes the Findings and
5 Recommendations are supported by the record and proper analysis. Thus, the Court ORDERS

6 1. The Findings and Recommendations issued April 3, 2025 (Doc. 11), are

7 **ADOPTED IN FULL.**

8 2. This matter is **DISMISSED** without prejudice for Plaintiff's failure to prosecute
9 and for his failure to keep the Court apprised of his current address. *See* Fed. R.
10 Civ. P. 41(b); Local Rules 110 and 183(b).

11 3. The Clerk of Court is directed to **CLOSE THIS CASE.**

12
13 IT IS SO ORDERED.

14 Dated: **May 1, 2025**


UNITED STATES DISTRICT JUDGE